



Iowa's  
**TRUE AIM**  
student achievement is the target

QUESTIONS AND ANSWERS  
ON THE  
**NATIONAL INSTRUCTIONAL MATERIALS ACCESSIBILITY STANDARDS**  
(NIMAS)

Last Updated February 24, 2009

**Question 1:** What is the definition of NIMAS?

**Answer:** *NIMAS means the standards to be used in the preparation of electronic files for efficient conversion into specialized formats for students who are blind or print disabled.*

**Question 2:** What disabilities qualify a student to receive NIMAS services?

**Answer:** *IDEA 2004 defines an eligible student (one with an IEP) as a student who is blind or other persons with print disabilities.*

**Question 3:** Who are competent authorities for determining blindness and physical disabilities?

**Answer:** *In cases of blindness, visual disability, or physical limitations competent authority is defined to include doctors of medicine, doctors of osteopathy, ophthalmologists, optometrists, registered nurses, therapists, professional staff of hospitals, institutions, and public or welfare agencies (e.g., social workers, case workers, teachers of the visually impaired, counselors, teachers, and superintendents).*

**Question 4:** Who is the competent authority to determine an organic dysfunction?

**Answer:** *Doctors of medicine and doctors of osteopathy or competent authorities to determine an organic dysfunction. They may also consult with colleagues in associated disciplines.*

**Question 5:** What is an organic dysfunction?

**Answer:** *For NIMAS eligible students, the cause of the inability to read print material, such as blindness, paralysis, loss of arms or hands, extreme weakness, or palsy, is readily observable. In these cases, professionals in various fields related to health care, education, or rehabilitation are acceptable as certifying authorities. With persons who have a print disability, usually only the effect is readily apparent. The cause, when physical, lies within the central nervous system, and, under the existing regulations, this cause can be determined only by competent medical authority. The signature of a doctor of medicine or osteopathy is required on the application to certify not only that a print disability exists and is serious enough to prevent reading regular printed material in a normal manner, but also that the identified condition has a physical basis. Nonorganic factors such as emotional or environmental causes, intellectual or educational deficiencies, or other possible nonorganic or nonphysical cause must be ruled out and cannot be taken into consideration. The following groups of students are not automatically eligible: those who have those who have learning disabilities, dyslexia, attention deficit disorder, attention deficit-hyperactivity disorder, chronic-fatigue syndrome, autism, functional illiteracy, or mental retardation, unless there is a specific accompanying visual or physical handicap. These terms also do not automatically disqualify these students either.*

**Question 6:** What are specialized formats?

**Answer:** *Braille, Large Print, Audio, and Digital Text.*

**Question 7:** Why are specialized formats needed?

**Answer:** *Specialized formats enable students with print disabilities to gain the information they need to complete tasks, master IEP goals, and reach curricular standards. Specialized formats are also needed to provide students who are unable to obtain information through the use of traditional print materials with accessible materials appropriate to their individual needs. Provisions with IDEA 2004 require that textbooks and related core instructional materials are provided to students with print disabilities in specialized formats in a timely manner.*

**Question 8:** What curriculum materials are covered by the NIMAS?

**Answer:** *IDEA 2004 indicates that the term print instructional materials includes printed textbooks and related printed core materials that are written and published primarily for use in elementary and secondary schools, and are required by students in the classroom.*

**Question 9a:** What is a textbook?

**Answer:** *Textbook means the principal tool of instruction used in the classroom. It is a printed book or books that contain most, if not all, of the academic content a student needs to learn to meet local district requirements for that subject area.*

**Question 9b:** What are related core materials?

**Answer:** *Related core materials are printed materials, other than textbooks, designed for use by students in the classroom which, together with the textbook, are necessary to meet the curriculum requirements of the intended course. The materials should be directly related to the textbook and wherever possible they should be published by the publisher of the textbook.*

**Question 9c:** What are not considered related core materials?

**Answer:** *Related core materials do not include materials that are not written and published primarily for use by students in the classroom (e.g., trade books not bundled with the textbook, newspapers and reference works) or supplemental materials that are not necessary to meet the curriculum requirements for the intended course.*

**Question 10:** What is the NIMAC and what will it do?

**Answer:** *The National Instructional Materials Access Center (NIMAC) is located at the American Printing House for the Blind (APH). It features an automated system for allowing publishers to deposit NIMAS suitable files within the system. These files will be checked to confirm that they are valid NIMAS files, and will be catalogued in a web-based database. In Iowa, the Iowa Department for the Blind will be the authorized user and will be able to search the NIMAC database and download directly the files(s) they need to convert to accessible instructional materials for those student who are in elementary and secondary schools and have qualifying disabilities.*

**Question 11:** Who has access to the NIMAC?

**Answer:** *The Iowa Department of Education has designated as our sole authorized user the Iowa Department for the Blind.*

**Question 12:** Are IEP Teams authorized to determine if a student requires accessible instructional materials?

**Answer:** *Yes. The IEP Team determines the instructional program, supports, modifications, and accommodations needed for students with disabilities, including the need for accessible instructional materials.*

**Question 13:** Are LEAs required to pay for additional medical certification to verify that a student's print disability has an organic nature?

**Answer:** Yes. *LEAs have the responsibility, including the assumption of costs, to obtain the appropriate certification for the students.*

**Question 14:** What is the role of the Teacher of the Visually Impaired (TVI) in this process?

**Answer:** *The TVI should conduct appropriate assessments such as the Learning Media Assessment and develop a report which indicates what accessible format is appropriate for the student. The TVI should be a part of the IEP meeting and provide information to the team about NIMAS eligibility and appropriate accessible formats. The team may ask the TVI or other personnel to make contact with the Iowa Department for the Blind to begin the process of developing an accessible format for the student.*

**Question 15:** What are NIMAS conformant files?

**Answer:** *The NIMAS outlines a set of consistent and valid XML –based source files created by K-12 publishers. These source files can be used to create accessible specialized formats (i.e., Braille, digital text, audio, large print) of print instructional materials.*

**Question 16:** Will schools, classrooms, and students use NIMAS conformant files directly?

**Answer:** *No, these source files will not be distributed to local districts. Districts must request through the Iowa Department for the Blind that accessible formats be made from these source files.*

**Question 17:** Are there costs to the local district to request accessible formats from the Iowa Department for the Blind?

**Answer:** *No. As long as the Iowa Department for the Blind is accessing the NIMAC and developing accessible formats, there are no costs to the local district.*

**Question 18:** Are graphics part of the NIMAS file set?

**Answer:** *Yes. NIMAS file sets include all graphic content included in the print work. Separate permissions are not necessary if the publisher submits NIMAS files to the NIMAC.*

**Question 19:** What is the turnaround time from a request to the Iowa Department for the Blind for a specialized format until the student receives the specialized format?

**Answer:** *After the NIMAC receives NIMAS file sets from the publisher, the file sets will be checked to confirm that they are valid NIMAS files, and the files will be catalogued in a web-based database. If the quality conforms to NIMAS, the files will be available almost immediately for authorized users (Iowa Department for the Blind) to download and convert into specialized formats. The time from which the Iowa Department for the Blind receives a request to the student receiving the specialized format will vary by the type of specialized format and the efficiency of the authorized user. Requests for accessible formats should be made in January of each year for textbook materials needed by a student in late August of that year.*

**Question 20:** Will foreign language textbooks be available in NIMAS through the NIMAC?

**Answer:** *Yes. IDEA specifies that NIMAS applies to printed textbooks and related printed core materials that are written and published primarily for use in elementary and secondary school instruction and are required by local districts for use by students in the classroom. Thus, all foreign language textbooks that meet this requirement are subject to the NIMAS. This applies both to textbooks for foreign language classes and textbooks translated into a foreign language for use by students with limited English proficiency.*

**Question 21:** Can NIMAS files be sent to individual students so that they can manipulate them and use them, for example, on personal digital assistants (PDAs)?

**Answer:** *While NIMAS file sets cannot be sent directly to students or local districts, the local district can request that the Iowa Department for the Blind convert a NIMAS file set into a specialized format and place the specialized format onto an eligible student's PDA. However, the Iowa Department for the Blind and local districts must take appropriate steps under applicable copyright laws to ensure that only NIMAS eligible students receive these specialized formats.*

**Question 22:** May a file for an eligible student also be used for other students who may benefit from its use?

**Answer:** *If students are NIMAS eligible, a local district can use the specialized formats already derived from NIMAS file sets for other NIMAS eligible students. However, local districts may not share these specialized formats with students who are not NIMAS eligible, even though they may benefit.*

**Question 23:** How does NIMAS relate to curricula that are delivered in an on-line platform?

**Answer:** *NIMAS is a source file for converting print instructional materials into specialized formats and does not apply to on-line material.*

**Question 24:** What about textbooks published prior to July 19, 2006, when NIMAS was published in the Federal Register?

**Answer:** *OSEP has taken the position that every textbook and related print core materials sold by K-12 publishers (i.e., works still "in print" as opposed to "out of print") after July 19, 2006 is subject to a request for conversion to NIMAS filesets and subsequent submission to the NIMAC.*

**Question 25:** If a school contracts with a Community College for advanced placement classes, is the LEA or community college responsible for a student who is eligible for NIMAS materials?

**Answer:** *Under 612(a)(23) and 613(a)(6) [300.172 and 300.210] the SEA and LEA have the responsibility to provide print instructional materials to blind and other print disabled persons in a timely manner. This responsibility would extend to all courses that the SEA and LEA offer for elementary school or secondary school credit, even if they are provided by another entity through a contract or other arrangement with the SEA or LEA.*

**Question 26:** Will the NIMAC notify the LEA that requested the book when the NIMAS fileset has been validated and catalogued, or does the LEA just need to keep checking the database?

**Answer:** *Anyone is welcome to search the NIMAC database at any time, so LEAs can check to ensure that publishers have submitted files as they have been required to do. However, if an Authorized User (AU) would like to be notified when specific files are certified, the NIMAC has built a "Watchlist" feature into the NIMAC for just that purpose. If an AU is needing a specific file, then they just enter the ISBN of that title into their Watchlist account. When the file is certified, they automatically receive an email from the system letting them know. The NIMAC is not involved in any way in the contractual agreements between publishers and their customers. So NIMAC has no way of knowing which LEA has required that a publisher submit a NIMAS fileset. However, the Watchlist allows Authorized Users to be notified when files they are waiting on are available.*